

REMARKS

Claims 3-22 remain in the case with claims 3, 10 and 18 in independent form. Favorable reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

Claim Allowances:

The allowance of Claims 18-22 is noted and appreciated. Claims 6-7 and 14-17 are also allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully requests review and allowance of the amendment to Claim 18 that corrects a clerical error and changes "lower steering column" to "lower steering column jacket," thereby resolving a potential antecedent issue.

Claim Amendments:

The same clerical error found and currently corrected in Claim 18 is also currently corrected in Claim 10 along with a similar clerical error in Claim 8. No new matter is added. Claim 8 is objected to as omitting the term "a." Claim 8 is herein amended to include the missing term "a."

Claim Rejections:

Claims 3-5, 8-13, 15 and 19 are rejected under 35 USC § 102(e) as being anticipated by Li et al. US 2005/0199087. As set forth in the attached Interview Summary, Claims 15 and 19 are allowable.

Claim 3

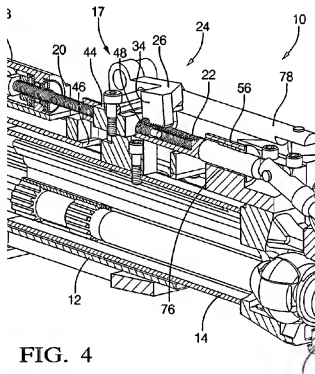
On page 4, first paragraph, of the Office Action, the Examiner states:

"Said single locking device having a guide (44) connected rigidly to and supported continuously by said lower steering column jacket (guide is connected to lower steering column jacket via 20 and 18)."

As mutual agreed and set forth in the attached Examiner Interview Summary, the Examiner no longer believes that the above statement is correct. In fact, the guide (44) of the Li '087 reference is connected rigidly to the upper steering column jacket (14) and not the lower steering column jacket (12) of Li '087. At best, there is an adjustable relationship between the lower steering column jacket (12) and guide (44). That is, the guide (44) moves with respect to the lower steering column jacket (12) and thereby can not be connected rigidly to it.

The guide (48) of Claim 1 of the present application is connected rigidly to the lower jacket (12).

This difference is best shown in Figures 4 and 7 of Li '087 as illustrated:



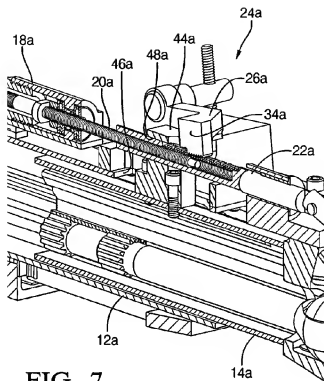


FIG. 7

Note that in Figure 4, the cross section of guide (44) is cut in two planes and thus the lower section of the guide (44) extends down and contacts the upper steering column jacket (14). This is confirmed in Figure 7 where the cross section is in a single plane. This relationship is further confirmed in paragraph 21 of Li '087 that states: "The apparatus 10 also includes a slide block 44 extending from the upper steering column jacket 14 for supporting the locking arm 26 for pivoting movement 27."

On page 4, second paragraph, the Examiner states:

"Said locking device having a first aperture (20 extends through aperture in (18) in said guide and extending longitudinally with respect to said jackets and wherein said linking member is supported by said guide"

Applicant agrees that the circumferentially threaded motor shaft (20) does extend through an aperture in guide (44). However, Applicant respectfully disagrees that the guide (44) of Li '087 supports the motor shaft or alleged linking member (20). Nothing in the Li '087 disclosure teaches the alleged linking member (20) being supported by the guide (44). In fact, an understanding of the Li '087 reference would suggest that a

"clearance" between the shaft (20) and the guide (44) is preferred to reduce unwanted friction between moving components.

Moreover, and again referring to Figure 4 of Li '087, the motor shaft (20) is actually located concentrically inside member (22) for converting rotational movement of motor shaft (20) into linear movement of member (22). Member (22) also extends through the aperture in guide (44). The actual support of member (22) is provided by member (56), and the support of shaft (20) is provided by motor (18).

Consequently, Claim 3 of the present invention is not anticipated by Li '87 under U.S.C. 102(e).

Claims 10:

The relevant limitations of currently amended Claim 10 read (element no.'s added for clarity):

"a single locking device (18) for limiting said telescoping movement and said tilting movement including a linking member (22) extending parallel to and spaced from said upper steering column jacket (14) and having a first end (24) pivotally connected to said tilt housing and a second end (46) slidably connected to said lower steering column jacket (12) wherein said linking member moves linearly in response to said telescoping movement and said tilting movement; and wherein said linking member (22) is monolithic."

On page 4, third paragraph, and in regards to the Li '087 reference, the Office Action states:

"First end (right side of (20) shown connected to (22) pivotally associated with tilt housing (see fig. 4, (20) is connected to tilt housing via (22))"

As mutual agreed and set forth in the attached Examiner Interview Summary, Claim 10 would not be anticipated by Li if "pivotally associated with" is changed to "pivotally connected to." Moreover, it was agreed that the alleged linking member of Li is not "monolithic." This change is incorporated presently by this amendment.

Consequently, Claim 10 and dependent claims 11-13 of the present invention are not anticipated by Li '87 under U.S.C. 102(e).

Summary:

A marked-up copy of the claim amendments is attached to facilitate examination. Additions are underlined and deletions are bracketed or struck-out.

The Applicant believes that no fees are required; however, the Commissioner is authorized to charge our Deposit Account No. 08-2789 in the name of Howard & Howard Attorneys, P.C. for any fees or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

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Date

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